

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RENAN MARTINEZ,  
Petitioner,

v.

STUART SHERMAN,  
Respondent.

Case No. [16-cv-04909-SI](#)

**ORDER DENYING RENEWED  
REQUEST FOR COUNSEL AND  
EXTENDING DEADLINE**

Re: Dkt. No. 13

Petitioner has filed a renewed request that counsel be appointed to represent him in this action. A district court may appoint counsel to represent a habeas petitioner whenever “the court determines that the interests of justice so require” and such person is financially unable to obtain representation. 18 U.S.C. § 3006A(a)(2)(B). The decision to appoint counsel is within the discretion of the district court. *See Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986). Appointment is mandatory only when the circumstances of a particular case indicate that appointed counsel is necessary to prevent due process violations. *See id.* The interests of justice do not require appointment of counsel in this action. The renewed request for appointment of counsel is DENIED. Docket No. 13.

In the same document, petitioner also has requested a 30-day extension of the deadline to file his traverse. The request for an extension of the deadline is GRANTED. Petitioner must file and serve his traverse on or before **July 28, 2017**.

**IT IS SO ORDERED.**

Dated: May 11, 2017



SUSAN ILLSTON  
United States District Judge